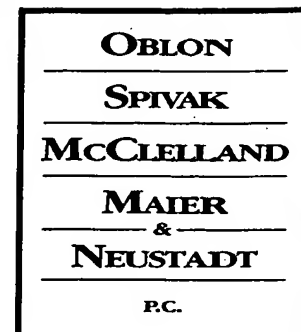
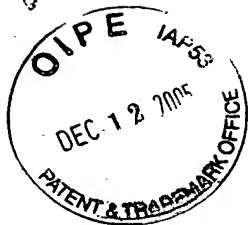


10 Rec'd PCT/P 1 2 DEC 2005



ATTORNEYS AT LAW

ATTN: APPLICATION BRANCH

**THIS IS A RESPONSE TO A
NOTICE TO FILE MISSING
PARTS OF AN APPLICATION**

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

Re: Inventor: Yoshinori NAOE, et al.
Serial No: 10/508,958
Filed: October 5, 2004
For: DEPSIPEPTIDE FOR THERAPY OF KIDNEY CANCER

SIR:

Attached hereto for filing are the following papers:

Return Copy - Notification of Missing Requirements
Request for Extension of Time - Three Months
Filing of Declaration Under 37 CFR 1.53(f)
Executed Declaration and Power of Attorney (6 pp.)
Preliminary Amendment and Statement w/attached Substitute Sequence Listing and Computer-Readable Form (CRF)

Our credit card payment form in the amount of \$1,020.00 is attached covering any required fees. In the event that any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 CFR 1.136 for the necessary extension of time. A duplicate of this sheet is enclosed.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon

Vincent K. Shier, Ph.D.
Registration No. 50,552

Docket No. 259908US0X PCT

Customer Number
22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 05/03)

10 Rec'd PCTO 12 DEC 2005

Docket No. 259908US0X PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Yoshinori NAOE, et al.

SERIAL NUMBER: 10/508,958

ATTN: APPLICATION BRANCH

FILING DATE: October 5, 2004

FOR: DEPSIPEPTIDE FOR THERAPY OF KIDNEY CANCER

FILING OF DECLARATION UNDER 37 CFR 1.53(f)

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Responsive to the notification dated July 11, 2005, and in accordance with the provisions of 37 CFR 1.53(f), Applicants submit herewith a Rule 63 Declaration. The required fee was paid at the time of filing the application.

The Declaration enclosed herewith contains the Title of the Invention and Inventor(s) name(s) and is believed, in combination with the application serial number and filing date contained in this cover letter, to adequately identify the above-identified application in accordance with 37 CFR 1.63, as set forth in MPEP Section 601.01.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon



Vincent K. Shier, Ph.D.

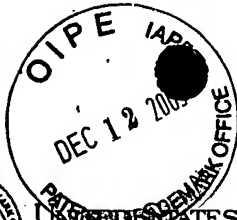
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(OSMMN 05/03)

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UNITED STATES DEPARTMENT OF COMMERCE
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U.S. APPLICATION NUMBER NO. 10/508,958	FIRST NAMED APPLICANT Yoshinori Naoe	ATTY. DOCKET NO. 259908US0XPCT
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INTERNATIONAL APPLICATION NO. PCT/JP03/03823

I.A. FILING DATE 03/27/2003	PRIORITY DATE 04/05/2002
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22850

OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

CONFIRMATION NO. 7546

371 FORMALITIES LETTER



OC00000016443398

Date Mailed: 07/11/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/05/2004
- Copy of the International Search Report filed on 10/05/2004
- Copy of IPE Report filed on 10/05/2004
- Preliminary Amendments filed on 10/05/2004
- Information Disclosure Statements filed on 01/05/2005
- Request for Immediate Examination filed on 10/05/2004
- Copy of references cited in ISR filed on 10/05/2004
- U.S. Basic National Fees filed on 10/05/2004
- Priority Documents filed on 10/05/2004

RECEIVED: 7-13-05
OBLON, SPIVAK, MCCLELLAND
MAIER & NEUSTADT, P.C.
DOCKETING DEPT.
Initials/Date Docketed: (sx) 7-13-05
Type of Resp(s): 3D / seq list
Due Date(s): 9-11-05

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes

Best Available Copy

- no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHRISTINE S WASHINGTON

Telephone: (703) 308-9140 EXT 228

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/508,958	PCT/JP03/03823	259908US0XPCT

FORM PCT/DO/EO/905 (371 Formalities Notice)

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